



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

JRE
Docket No: 3852-00
5 December 2000



Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 30 November 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you completed a Standard Form 93, Report of Medical History, on 5 July 1999, in which you denied having any significant history of medical treatment and/or physical complaints. You enlisted in the Navy on 27 August 1999. On 7 October 1999, you complained of right wrist pain with loss of motion, and indicated that you had had a "bump" on your left wrist for about two years. You felt that you were unable to complete training because of the pain and resulting inability to do push-ups. Your condition was diagnosed as a ganglion cyst, and you were recommended for an entry level medical separation. On 14 October 1999, you complained of "severe back pain", which existed prior to your enlistment, and adversely affected your ability to train. Pre-service medical records obtained by your Navy physicians indicate that you had received treatment over a two-month period in 1997-1998 for cervical spine pain, and that you had also complained of pain in your right wrist. You attributed the wrist pain to a cyst similar to the one causing pain in your left wrist. On 20 October 1999, you were discharged by you, by reason of your failure to meet medical/physical procurement standards. You were assigned a reenlistment code of RE-4.

The Board was not persuaded that your discharge was erroneous or unjust. It noted that RE-4 is the only reenlistment code authorized in the case of sailors discharged for failing to meet minimum medical/physical procurement standards for enlistment, and that the code was properly assigned in your case. The Board concluded that in view of your long-standing physical problems and the fraudulent nature of your enlistment, you are not a suitable candidate for further service. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director